

Message

From: Palmer, Leif [Palmer.Leif@epa.gov]
Sent: 3/14/2019 6:10:50 PM
To: Hicks, Matt [Hicks.Matthew@epa.gov]
CC: Rubini, Suzanne [Rubini.Suzanne@epa.gov]; Ghosh, Mita [Ghosh.Mita@epa.gov]; Nagrani, Kavita [Nagrani.Kavita@epa.gov]
Subject: Re: FL 404 Assumption Status

Thanks Matt.

Sent from my iPhone

On Mar 14, 2019, at 1:33 PM, Hicks, Matt <Hicks.Matthew@epa.gov> wrote:

Leif,

Just two updates on FL 404 assumption.

On 3/12/19, OGC staff, with input from OW and Region 4 staff, provided David Fotouhi a draft redline response to the DOI Solicitor's Office comments on the 5-way MOA. David F had committed to DOI to sending EPA's response to their comments this week but I'm not sure if that has happened yet.

On 3/1/19, David Ross sent FDEP Secretary Valenstein a letter notifying FDEP that EPA is committed to working expeditiously with FDEP to finalize the EPA/FDEP MOA and review the 404 assumption package as soon as the state submits it. David Ross also offered to update FDEP on EPA's ongoing discussions with DOI regarding ESA issues raised by the state and stakeholders.

No progress has been made on the assumption deliverables. In terms of percent completeness, the usual caveats apply about these being rough estimates of deliverable completeness including how far along we are to getting review/signatures/buy-in from necessary parties.

- Letter from Governor requesting program approval Ex. 5 Deliberative Process (DP)
- Complete program description Ex. 5 Deliberative Process (DP)
- Attorney General's statement Ex. 5 Deliberative Process (DP)
- EPA/DEP MOA Ex. 5 Deliberative Process (DP)
- Corps/DEP MOA Ex. 5 Deliberative Process (DP)
- Copies of all applicable state statutes and regulations, including those governing applicable state administrative procedures Ex. 5 Deliberative Process (DP)

The 5-way MOA is not a required component per the 404 assumption regulations but it is something that will be part of FL's program so we've attempted to assign it a completeness number as well.

- 5-way MOA Ex. 5 Deliberative Process (DP)